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In re Application of:  
Ver der Ploeg et al.  
Serial No.: 08/554,424  
Filed: November 6, 1995  
Attorney Docket No.: 19338DA

DECISION ON PETITION TO  
WITHDRAW THE HOLDING  
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR. § 1.181(a) filed on January 16, 2004, requesting withdrawal of the holding of abandonment based on the Office's non-receipt of a faxed reply to an Office action.

A review of the file history shows that the Office mailed an Office action, setting a 3 month statutory time period for reply, to applicants on May 20, 2003. On December 29, 2003, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response was filed by facsimile on August 20, 2003. Applicants provide a copy of the submitted reply with the petition, and also a copy of the facsimile transmission report indicating successful transmission of all ten pages to the USPTO on August 20, 2003 at 3:50 PM. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. This application is restored to pending status with the mailing of this decision and will be forwarded to the examiner for consideration of the amendment.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Jasemine C. Chambers  
Director, Technology Center 1600